

Application No. 09/889,628
Amendment dated October 15, 2004
Amendment Office Action of May 18, 2003

REMARKS/ARGUMENT

The Office Action, dated May 18, 2004, has been carefully considered. Accordingly, the changes presented herewith, taken with the following remarks, are believed sufficient to place the present claims in better condition for allowance. Reconsideration and allowance of all remaining claims is respectfully requested.

Status Of The Claims

In the present amendment, Claim 20 has been canceled without prejudice. Claim 1 has been amended to incorporate a Markush group for the salt. Claim 32 has been amended to remove the range of compression pressures. The support for these amendments is found in the specification and claims as previously filed. Claims 2-15 and 29-31 were previously canceled. Claims 1 and 16-19, 20-28, and 32 are now pending in this application.

Formal Matters

The rejection of Claims 1, 16-29, 31-32 under 35 U.S.C. § 103(a) as being unpatentable over Schmidt (EP 0,799,886) in view of Davidson (U.S. Pat. No. 3,951,821), and further in view of Gladfelter et al. (WO 92/20774) was withdrawn in view of the Applicants' amendment and arguments therein the last paper.

Portions of the Applicants' specification were objected to because of informalities in disclosing co-pending applications. The Applicants hereby submit that the objection has been obviated the instant amendment to the specification. Withdrawal and reconsideration of the objection is respectfully requested.

Rejection Under 35 U.S.C. § 112

Claim 32 is rejected under 35 U.S.C. § 112, first paragraph, by the Office Action for failing to comply with the written description requirement. The upper limit of the compression pressure range in the first phase was allegedly unsupported by the specification. The Applicants have obviated this rejection by the above amendment to Claim 32 wherein the upper limit has been removed. Withdrawal and reconsideration of the rejection is respectfully requested.

Rejection Under 35 U.S.C. § 103(a)

Claims 1, 16-19, 25-28, and 32 are rejected by the Examiner under 35 U.S.C. § 103(a) as allegedly being unpatentable under the judicially created doctrine of obviousness-type double

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patenting over Claims 1-8 of U.S. Pat. No. 6,544,943; Claim 6 of U.S. Pat. No. 6,544,944; Claim 8 of U.S. Pat. No. 6,551,981; Claim 3 of U.S. Pat. No. 6,551,952; or Claim 8 of U.S. Pat. No. 6,589,932; each in view of Davidson (U.S. Pat. No. 3,951,821).

The Office Action concludes that it would have been obvious to one of ordinary skill in the art at the time the invention was made to prepare the detergent tablet having two phases wherein one phase has a mould and another phase is contained within the mould, each phase being compressed at different compression pressures and comprising polymeric disintegrant having the particle size required in the present claims.

Applicants kindly point out that this Office Action did not reject Claim 20. The Applicants have amended Claim 1 to incorporate the Markush group of Claim 20 with respect to the water-soluble hydrated salt.

In light of the foregoing, Applicants respectfully submit that Claim 1, as amended, is not rendered obvious over the references cited by this Office Action, alone or in combination with Davidson since the references do not teach, disclose or suggest a detergent tablet having two or more phases having different compression pressures, as recited in the present claims, as amended, and which comprises the recited water-soluble hydrated salt. Further, Applicants submit that Claims 16-19, 21-28, and 32, which ultimately depend on Claim 1, as amended, are not rendered obvious over the cited references, alone or in combination with Davidson.

It is, therefore, submitted that the multi-phase tablets defined by the present claims, as amended, are not rendered obvious over the references cited in view of Davidson and are patentably distinguishable therefrom, whereby the rejection of 35 U.S.C. § 103(a) has been overcome. Reconsideration is respectfully requested.

CONCLUSION

It is believed that the above represents a complete response to the rejection under 35 U.S.C. § 103(a), and places the present application in condition for allowance. Reconsideration and an early allowance are requested.

Respectfully submitted,

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